



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We Protect Hoosiers and Our Environment.

Mitchell E. Daniels, Jr.
Governor

Thomas W. Easterly
Commissioner

June 3, 2009

100 North Senate Avenue
Indianapolis, Indiana 46204
(317) 232-8603
Toll Free (800) 451-6027
www.idem.IN.gov

VIA CERTIFIED MAIL 7002 0510 0004 2582 7441

Michalene Reilly, CHMM
Hoosier Energy REC, Inc.
PO Box 908
Bloomington, Indiana 47402-0908

Dear Ms. Reilly:

Re: Issuance of Solid Waste Facility Permit
FP 63-08
Frank E. Ratts Generating Station Landfill
RWS I
Pike County

Hoosier Energy REC, Inc. is hereby issued a solid waste facility permit, FP 63-08, pursuant to IC 13-15-1-3 and 329 IAC 10-11 *et seq.* This approval is based on the restricted waste site Type I landfill application submitted to the Indiana Department of Environmental Management (IDEM) on December 31, 2007 and all subsequent amendments and addendums to the application. This permit issuance authorizes Hoosier Energy REC, Inc. to construct and operate a restricted waste site Type I landfill and is subject to the terms of this letter and the enclosed requirements and conditions. This project includes but is not limited to the following features:

- * composite liner system including geosynthetic and clay liners
- * final cover system
- * ground water monitoring system
- * leachate collection system

In accordance with 329 IAC 10-13-4, solid waste facility permit FP 63-08 does not authorize: any injury to any person or private property; the invasion of other private rights; the infringement of federal, state, or local laws or regulations; nor preempt any duty to comply with other state or local requirements.

This solid waste disposal facility is located at 6825 North Blackburn Road, Petersburg and contains approximately 28 acres permitted for landfilling.

IDEM may modify or revoke this permit in accordance with 329 IAC 10-13-6, and/or take enforcement action against the owner, operator and/or permittee herein for failure to comply with the requirements and conditions of this permit.

In accordance with 329 IAC 10-13-1(c), this permit will not become effective until any real estate transfers necessary to vest legal title of the real estate upon which the permitted activity is to occur in the name of the owner listed on the application have been completed, executed, and recorded and documents evidencing such transfer have been delivered to the IDEM or proof of the applicant's agreement regarding the leasing of this property has been submitted to the IDEM.

In accordance with 329 IAC 10-13-3, this permit is valid through June 1, 2014. To continue operation past this period, a renewal application in accordance with 329 IAC 10-11-4 must be submitted a minimum of one hundred twenty (120) days prior to the expiration date of the permit.

Pursuant to IC 4-21.5, a Petition for Review of this permit letter may be initiated by you, as applicant, or by an "aggrieved or adversely affected person". This permit becomes effective once all applicable time periods for petitioning for Stays of Effectiveness have expired, unless you are notified in writing by an Environmental Law Judge that the permit has been further stayed. As discussed in our enclosed Notice of Decision, if you wish to challenge this decision, you must file a Petition for Review with the Office of Environmental Adjudication within eighteen (18) days from the date that this permit letter was mailed, pursuant to IC 4-21.5-3-7.

If you have any questions or comments about your application or the permitting process, call (800) 451-6027, press 0 and ask for Kelly Hall or extension 3-0449, or call direct at (317) 233-0449.

Sincerely,



Thomas Linson, Chief
Permits Branch
Office of Land Quality

Enclosure: Permit Requirements
Notice of Decision
Letter to the The Press-Dispatch
Letter to the Pike County Public Library
Leachate Generation and Recirculation Report

cc: Pike County Health Department (with enclosure)
The Honorable Stephen Stidd, President, Pike County Commissioners (with enclosure)
Pike County Solid Waste Management District (with enclosure)
IDEM, Southwest Regional Office (with enclosure)
The Honorable Jon Craig, Mayor of Petersburg (with enclosure)
The Honorable Fran Lewis, President of Petersburg Town Council (with enclosure)

PERMIT REQUIREMENTS

- A. General Permit Requirements
- B. General Reporting Requirements
- C. Pre-Operational Requirements
- D. Construction Requirements
- E. Operational Requirements
- F. Ground Water Monitoring Requirements
- G. Closure Requirements
- H. Post-Closure Requirements
- I. Financial Responsibility for Closure and Post-Closure

A. GENERAL PERMIT REQUIREMENTS

- A1. The Permittee shall comply with all applicable requirements of 329 IAC 10, where not specifically addressed in this permit. All time frames specified in this permit refer to calendar days.
- A2. The Permittee shall construct, operate and close the facility as described in the Construction/Operation permit application submitted on December 31, 2007, and all subsequent revisions, unless otherwise specified in this permit. For the purpose of this approval the application means all the narrative, construction plans, specifications, and appendices, including all the revisions submitted to Indiana Department of Environmental Management (IDEM) to date.
- A3. The Permittee shall at all times properly manage, operate, and maintain all facilities and systems of treatment and control which are installed or used by the Permittee to comply with the specifications included in the application and permit requirements. Proper operation and maintenance includes, but is not limited to, proper handling of solid waste, sufficient funding, adequate operator staffing and training, and laboratory and process controls with appropriate quality assurance procedures.
- A4. All testing must be performed in accordance with American Society for Testing and Materials (ASTM) standards and the Construction Quality Assurance (CQA) plan included in the application.
- A5. IDEM may reevaluate the construction and operational requirements of this permit, at any time, during construction and operation of the facility.

B. GENERAL REPORTING REQUIREMENTS

- B1. All reports, notifications, ground water reports, or other information required to be submitted by this permit or the application, shall be sent to:

**Ms. Kelly Hall
Indiana Department of Environmental Management
Office of Land Quality
Solid Waste Permits Section
100 North Senate Avenue, Rm. 1154
Indianapolis, Indiana 46204-2251**

It is recommended that all required submittals be printed on double-sided paper and sent via certified mail. An additional copy should also be submitted in Acrobat PDF format by CD, DVD, or other media acceptable to IDEM.

- B2. The Permittee shall report to the Indiana Department of Environmental Management (IDEM) any event or noncompliance with this permit or 329 IAC 10 which may cause an imminent and substantial endangerment to human health or the environment. Unless specified otherwise by the requirements of this permit, this information shall be reported orally to IDEM within twenty-four (24) hours from the time the Permittee becomes aware of the event or noncompliance. A written report shall also be provided within five (5) working days of the time of the noncompliance event. The report shall include for each event: date and time, possible causes, actions taken or planned to correct, reduce, eliminate, and prevent recurrence of the event.
- B3. Records of all monitoring information and activities which are required to be submitted by this permit or specified in the application, must contain information in accordance with 329 IAC 10-1-4(a). Records shall be maintained as specified in 329 IAC 10-1-4(b) and (c).
- B4. Reports shall be signed as specified in 329 IAC 10-11-3(b).

C. PRE-OPERATIONAL REQUIREMENTS

- C1. The Permittee shall comply with 329 IAC 10-27 (Operation Approval and Pre-Operational Requirements) and this section of the permit.
- C2. All construction activities and testing denoted in the CQA plan, included in the application and modified by this permit, must be completed and results submitted along with the construction report as specified in Requirement D2 of this letter.
- C3. The Permittee shall provide financial responsibility for the landfill prior to any waste placement in the site as specified in Section I, FINANCIAL RESPONSIBILITY FOR CLOSURE AND POST-CLOSURE, of this permit.

D. CONSTRUCTION REQUIREMENTS

- D1. The Permittee shall notify IDEM in writing at least fifteen (15) days in advance of the construction of each phase.
- D2. Twenty-one (21) days prior to placement of waste in any newly constructed phase, a report shall be submitted to IDEM by an Indiana registered professional engineer certifying that the Permittee is in compliance with the construction requirements. The report shall indicate the boundaries of the certified phase and shall include the results of all tests conducted during construction. Unless notified otherwise by IDEM, the Permittee may begin to accept waste in the newly constructed phase after the twenty-one (21) day notice period has expired.

- D3. Boundary markers shall be placed to identify the limits of construction of each new phase.
- D4. The top of liner base grades for the facility shall be constructed as shown on Sheet 15 of 40, entitled "Top of Liner Plan", dated December 2007, and received by IDEM on December 31, 2008.
- D5. The Permittee shall follow the construction plans and quality assurance procedures, detailed in the application and all subsequent submittals with the recommended design criteria, unless modifications are requested and approved by the commissioner.
- D6. Upon selection of the specific geosynthetic materials for the liner and the final cover system components, the Permittee shall perform the appropriate tests to document the interface friction values for the geosynthetic materials, soil liner, drainage layer and protective layer to be used in the construction of the facility. In the event that the newly obtained site-specific test results show that the values are less than those assumed in the calculations in the permit application, the Permittee shall revise the slope stability analyses to document that the minimum factor of safety has been obtained, as recommended in Table 1 of 329 IAC 10-15-8, as applicable. The material-specific interface friction values and/or the revised slope stability analyses shall be included in the construction certification report, as required by Requirement C2.
- D7. The Permittee shall make visual observations for signs of slope instability within the limits of the existing ash pond during placement of the structural fill. Once the landfill is in operation, quarterly visual observations will be made for signs of slope instability along both the exterior and interior landfill slopes. Indications of significant slope instability shall be reported to IDEM along with recommendations for corrective measures.
- D8. Prior to construction of the subgrade, the facility will notify IDEM of the appropriate stabilization method. The stabilization method must be recorded and maintained at the site. Structural fill underneath the liner system shall be placed in lifts and compacted as necessary to provide a firm and stable subgrade for the composite liner. The placement and compaction of the structural fill shall be verified by a certified engineer. The engineer shall certify that the surface was inspected, using procedures and equipment specified in the approved construction plan to:
- a) Ensure that the surface is properly compacted, smooth, and uniform
 - b) Ensure that elevations are consistent with the approved construction plan
 - c) Evaluate the suitability of the subgrade

E. OPERATIONAL REQUIREMENTS

- E1. Permittee shall comply with all applicable requirements of 329 IAC 10-28 (Operational Requirements).
- E2. The facility described within this permit application will function only as a Restricted Waste Type I solid waste land disposal facility disposing of coal combustion by-products consisting of fly ash, bottom ash and boiler slag. No hazardous waste, as regulated by 329 IAC 3.1, shall be disposed of at the facility.
- E3. Permanent, visible boundary markers which delineate the approved facility and waste boundaries shall be maintained for the life of the facility.
- E4. Waste disposal shall be limited to the areas delineated by the waste boundary line as shown on Sheet 6 of 40, entitled "Boring Layout", dated December 2007, and received by IDEM on December 31, 2008.
- E5. The Permittee must control public access to the facility and prevent unauthorized vehicular traffic and illegal dumping of wastes by using artificial barriers, natural barriers, or both, to protect human health and the environment.
- E6. Surface water must be diverted from the active fill area to minimize surface water contact with the waste and interference with the daily operation.
- E7. The Permittee shall manage surface water as described in the application. The drainage ditches and sedimentation basins shall be properly maintained to prevent sediment from deposition off-site. Temporary run-off control structures shall be constructed in areas which are unable to drain to the sedimentation basins.
- E8. The site benchmark shall be maintained.
- E9. If any nuisance or ground surface pollution conditions are created at this facility, the Permittee shall initiate corrective action within twenty-four (24) hours.
- E10. The daily and intermediate cover variance requested, is approved with the following requirements:
 - a. Drainage ditches shall be inspected monthly for excessive sediment leaving the active portion of the site and routinely cleaned out as necessary;
 - b. An unacceptable inspection report by IDEM documenting the violation of Requirement E10 (a) above will be considered grounds for revocation of this variance.
 - c. The Permittee shall minimize the working face of the landfill. All areas of the

landfill filled to the approved elevations shall comply with Requirement G4. All other areas that have not received additional waste within one (1) year of the time of filling shall be covered with six (6) inches of intermediate cover of clay type soil.

- d. Intermediate cover shall be graded to promote surface water drainage and to prevent ponding of water. The Permittee shall minimize sediment and erosion at the site by implementing within fifteen (15) days appropriate sedimentation/erosion control measures such as but not limited to: establishment of vegetation, use of alternative/synthetic covers or liners, and/or use of other applicable erosion/sedimentation control measures.
- E11. The Permittee shall take appropriate measures to minimize fugitive dust at the restricted waste site to prevent the dust from creating a nuisance or threat to human health and the environment. If the facility operation is found to be in violation of fugitive dust regulations or if visible waste deposits carried by wind or surface water beyond the site property boundary are documented, the Permittee shall be bound by the requirements of 329 IAC 10-28-12 for application of a daily cover.
 - E12. During construction and filling, the geometry of the landfill needs to be preserved. Aerial mapping shall be performed annually to determine the volume of waste placed. Surveying shall be conducted annually.
 - E13. If the physical appearance of the cover soil is noted to change, or the Permittee uses borrow sites other than those specified in the application, samples of the material shall be subjected to gradation and Atterberg Limits tests, and the results submitted to IDEM within fifteen (15) days of such testing and prior to the use of this material as cover at the landfill site.
 - E14. The Permittee shall not cause a discharge of pollutants into waters of the United States, including wetlands, that violates the Clean Water Act, including, but not limited to, the requirements of the National Pollutant Discharge Elimination System (NPDES).
 - E15. The Permittee shall not cause the discharge of a nonpoint source of pollution into the waters of the United States, including wetlands, that violates any requirements of an area wide or statewide water quality management plan that has been approved under Section 208 or 319 of the Clean Water Act, as amended. The Permittee shall comply with applicable requirements of 327 IAC 15 regarding storm water discharges.
 - E16. The Permittee shall conduct leachate sampling and analysis as required by the wastewater treatment plant or other leachate disposal facility, as applicable, and the results shall be kept in the facility's operating record. The volume of leachate generated shall be submitted to IDEM on an annual basis on the enclosed "Leachate Generation and Recirculation Report" or on a similar report developed by the Permittee. The annual

leachate report must be submitted on or before March 1 of each year for the previous year. Any discharge or disposal of collected leachate must be accomplished in accordance with all applicable local, state, and federal laws. Leachate recirculation is not permitted at this facility.

- E17. The Permittee shall maintain, as applicable, an adequate leachate storage capacity during the landfill operation and the post-closure period to ensure proper operation of the leachate collection system and compliance with the approved landfill design (the leachate collection system and sump areas located within the waste disposal unit are not considered adequate storage.) The leachate level in the sumps and manholes shall be maintained at the approved depth and leachate shall be pumped out on a regular basis to ensure proper functioning of the system. The leachate storage shall be operated in an environmentally safe manner.

F. GROUND WATER MONITORING REQUIREMENTS

- F1. Each ground water monitoring well and each piezometer must be labeled with a permanent and unique identification that must be used in reporting all well and piezometer information.
- F2. Proposed abandonment of any ground water monitoring well or any piezometer at a facility must have written approval from IDEM. Methods used shall be those recommended by Office of Land Quality (OLQ) Permits Geology Section, and those pursuant to the Indiana Department of Natural Resources regulation 312 IAC 13-10-2. The Permittee shall notify OLQ Permits Geology Section ten (10) days prior to abandonment. Documents for each monitoring well or piezometer that is abandoned must be submitted to OLQ within thirty (30) days of removal and to IDNR as required under 312 IAC 13-10-2.
- F3. Access ways to each monitoring well or piezometer must be maintained and passable throughout each season of the year. The use of these access ways must be restricted to persons authorized by the owner, operator, or permittee.
- F4. The Permittee must maintain all ground water monitoring wells and piezometers. Necessary repairs, other than replacement (see Requirement F7), must be completed within ten (10) days of discovery. The Permittee must keep the monitoring wells securely capped and locked when not in use, repairing cracks, retaining mounds of clay-rich soil around the casings unless concrete pads have been installed, controlling vegetation height around the wells, and redeveloping the wells as needed.
- F5. The Permittee must submit ground water potentiometric-surface maps, or flow maps, of the aquifer(s) being monitored at the site. The ground water elevations must be obtained during the scheduled ground water sampling months and must be submitted with the water-quality results to OLQ. The maps must contain the following:

- a. Location and identification of each ground water monitoring well and piezometer;
- b. Static water-level relative to mean sea-level for each well and piezometer. All elevations shall be measured on the same day and as close in time as possible prior to the purging and sampling event;
- c. Date and time of static water-level measurement for each well and piezometer;
- d. Ground-surface elevation at each well and piezometer;
- e. Facility property boundaries;
- f. Identification of the aquifer represented, either by a name or an elevation;
- g. Solid waste fill boundaries;
- h. Facility name and county;
- i. Map scale, north arrow, ground water flow direction arrows, and the potentiometric-surface contour interval;
- j. Indications of which monitoring wells are considered background, downgradient, or intrawell;
- k. Locations and elevations of all site benchmarks.

F6. If ground water flow data indicate that flow is other than anticipated in the design of the monitoring well system, the Permittee must notify OLQ within ten (10) days of discovery. Within thirty (30) days of the notification, the Permittee shall submit to OLQ a report demonstrating that the facility is in compliance with 329 IAC 10-29-1(b). If additional ground water monitoring wells are required, the monitoring well(s) must be installed within thirty (30) days of receiving written approval of the revised design from OLQ.

F7. If for any reason a ground water monitoring well or piezometer is destroyed or otherwise fails to properly function, OLQ must be notified within ten (10) days of discovery. The well shall be repaired if possible. If the well cannot be repaired, it must be properly abandoned and replaced within sixty (60) days of the notification, unless the Permittee is notified otherwise in writing by OLQ.

F8. Pursuant to 329 IAC 10-29-2 sampling procedures, the Permittee must follow the ground water monitoring plan (Sampling and Analysis Plan (SAP)) dated December 31, 2008. The Permittee must revise the SAP if notified to do so by OLQ. Any revision to the SAP must be approved by OLQ prior to implementation, but will not be considered a modification of this permit.

F9. All ground water monitoring wells that constitute the facility's detection monitoring well system must have individual water samples collected and be analyzed for contaminants during May and November every year. These wells have been identified as follows; MW-1, MW-2, MW-3, MW-4, MW-5, MW-6. Each sample must be analyzed for the following Phase I parameters:

- (1) Arsenic (dissolved)
- (2) Barium (dissolved)
- (3) Boron (dissolved)
- (4) Cadmium (dissolved)
- (5) Chloride
- (6) Chromium (dissolved)
- (7) Field pH
- (8) Field specific conductance
- (9) Fluoride
- (10) Lead (dissolved)
- (11) Mercury (dissolved)
- (12) Selenium (dissolved)
- (13) Silver (dissolved)
- (14) Sodium (dissolved)
- (15) Sulfate

F10. All analytical results and field parameters from required ground water sampling must be submitted to OLQ Solid Waste Permit Section within sixty (60) days of the sampling event. The submittal must include one (1) original unbound laboratory certified report with field sheets and chain of custody forms; one (1) PDF formatted electronic version, and one (1) electronic version of the analytical results with the field parameters including pH, specific conductance, temperature, well depth, depth to water, and static water elevation.

The electronic version must be on a DOS formatted 3 1/2 inch diskette, CD-ROM, DVD or may be submitted via electronic mail (e-mail) to the e-mail address, **olqdata@idem.in.gov**. The facility name and a brief description of the file contents should be clearly marked on the digital media or typed in the subject heading of the e-mail. The electronic version should be submitted as an ASCII, tab-delimited text file and contain the facility's name, permit number, and the name of the analytical laboratory. Field parameters and analytical results must include the fields listed below.

- a. Sampling Date: Month, day, and year
- b. Well Name: Include permitted and corrective action wells
- c. Sample Medium: Ground water, leachate, soil, surface water, etc.
- d. Sample Type: Regular, duplicate(s), trip blank(s), equipment blank(s), field blank(s), verification re-sample(s) and replicate(s)
- e. Species Name: Chloride, sodium, ammonia, etc. (Identify metals as being analyzed in the "total" phase or "dissolved" phase. Example: arsenic (dissolved).)

- f. Concentration (results): The entry must be a number. Do not enter text such as "NA", "ND" or "<".
- g. Concentration Units: mg/l, ug/l, standard units for pH, degrees Celsius (°C), or degrees Fahrenheit (°F) for temperature, and umhos/cm for specific conductance
- h. Detected: Yes or no
- i. Detection Limit
- j. Analytical Methods
- k. Estimated Value: Indicate "Yes" if the reported value is an estimated value. If a value is estimated, use the "Comment" field to explain why the value was estimated
- l. Comment: Analytical lab and/or field personnel comments regarding the reported results.

F11. All applicable Quality Assurance/Quality Control (QA/QC) documentation generated from valid analyses of ground water samples by the laboratory must be retained and be available upon request by OLQ, for a minimum of three (3) years. In addition upon OLQ written request, one paper copy and one PDF formatted file of a level III ground water monitoring data package, as described in the current edition of the "Solid Waste Program Analytical Data Deliverable Requirements: A Guidance Document", must be submitted to OLQ within sixty (60) days.

F12. Ground water monitoring must be conducted throughout the active life and the post-closure care period of the facility. Monitoring may be extended beyond the post-closure care period if OLQ determines that the facility is adversely impacting the ground water or poses a threat to human health and the environment.

F13. Pursuant to 329 IAC 10-29-4, the Permittee must use the site-established background water quality data. Background data must also be established for any additional background wells. Background data shall be established during at least four (4) consecutive, sampling events and be completed within one (1) year after a new well installation. Background water quality shall be established for the following:

- a. The Phase I parameters in Requirement F9;
- b. The secondary standards in 329 IAC 10-29-7(c);
- c. The ground water protection standard in 329 IAC 10-29-10.

F14. Pursuant to 329 IAC 10-29-5, the Permittee must determine whether there is a statistically significant increase (pH decrease/increase) over the background for each Phase I or Phase II parameter by comparing the value obtained during each semiannual analysis with the established background. One (1) copy of the semiannual statistical evaluation report must be submitted to OLQ within sixty (60) days of the sampling event and one PDF formatted file according to Requirement B1.

In the statistical evaluation report the Permittee must present the distribution assumptions. A statistical procedure must be chosen that is appropriate for the distribution of the data being considered and that provides a balance between the probability of falsely identifying a significant difference and the probability of failing to identify a significant difference. The statistical procedure shall provide a 95 percent level of confidence to determine if a statistically significant increase occurs in the concentration of a Phase I or Phase II parameter. To achieve the 95 percent level of confidence, the Permittee should consider the background sample sizes, the number of individual statistical tests performed, and the specific verification resampling method.

- F15. If the Permittee determines that there is a statistically significant increase (pH decrease/increase) over background for two (2) or more of the Phase I parameters at any of the downgradient monitoring wells, the Permittee must comply with the following requirements:
- a. Notify OLQ in writing within fourteen (14) days of the finding. The notification must state which Phase I parameters showed statistically significant increases (pH decrease/increase) over background levels and from which downgradient monitoring well(s) the elevated concentrations came.
 - b. Collect and analyze the ground water from all monitoring wells for the parameters in Requirement F9 and the parameters determined from 329 IAC 10-29-7(d). These results must be submitted to OLQ within sixty (60) days of determining the statistically significant increases.
 - c. The Permittee must establish a Phase II monitoring program based on the results obtained in F15(b) and in consultation with OLQ Permits Geology Section within thirty (30) days of completion of Requirement F15(b).

The Permittee must continue the scheduled Phase I monitoring as described in Requirement F9 and 329 IAC 10-29 throughout the establishment and implementation of a Phase II monitoring program.

- F16. In lieu of Requirement F15(b) and (c), the Permittee may attempt to demonstrate that a source other than the solid waste facility caused the increase (pH decrease/increase) or that the increase (or pH increase/decrease) resulted from error in sampling, analysis, or evaluation. For the demonstration to be accepted by OLQ, the Permittee must comply with the following requirements:
- a. Notify OLQ in writing of the intent to make a demonstration. This notification must be submitted within seven (7) days of determining a statistically significant increase (or pH decrease);
 - b. Submit a report to OLQ within ninety (90) days of determining a statistically significant increase (or pH increase/decrease). The report must demonstrate that a

source other than the solid waste facility caused the increase (or pH decrease), or that the increase (or pH increase/decrease) resulted from error in sampling, analysis, or evaluation. The report must state what efforts will be taken to prevent these errors from recurring;

- c. Continue to monitor ground water at all monitoring wells according to the scheduled Phase I monitoring established under 329 IAC 10-29-6.

If a demonstration is not acceptable to OLQ, the Permittee must continue with Requirement F15(b) and (c).

- F17. If necessary, the Permittee must implement a corrective action program as required under 329 IAC 10-29-9. The corrective action program shall be deemed complete when ground water protection standards have been met at all points of the plume beyond the monitoring boundary for a period of three (3) consecutive years using the statistical procedures outlined in 329 IAC 10-29-5 and procedures approved through this permit.

G. CLOSURE REQUIREMENTS

- G1. The Permittee shall comply with all applicable requirements of 329 IAC 10-30 (Closure Requirements). Closure of the facility shall proceed in accordance with the facility closure plan, included in the application.
- G2. The revised closure and post-closure plans received by IDEM on December 31, 2008, have been approved. The total closure cost is estimated to be five million, three hundred nine thousand, and eight dollars (\$5,309,008).
- G3. The Permittee shall notify IDEM in writing at least sixty (60) days prior to the date on which closure is intended to begin on each area that has reached final grades.
- G4. The final cover shall be constructed in accordance with the approved final grading plan as shown on Sheet 13 of 40, entitled "Top Of Cover Plan," dated December 2007, and received on December 31, 2008. Grading and stabilization of final cover shall be accomplished in accordance with 329 IAC 10-28-14.
- G5. The cover materials shall be tested and placed in accordance with the specifications included in the application.
- G6. Upon final closure of the facility, the Permittee shall submit to IDEM a certification and verification of deed notation as required by 329 IAC 10-30-7.

H. POST-CLOSURE REQUIREMENTS

- H1. The Permittee shall comply with all applicable requirements of 329 IAC 10-31 (Post-closure Requirements).
- H2. The Permittee shall perform post-closure duties as specified in 329 IAC 10-31-2(a) and the facility post-closure plan included in the application, for a period of thirty (30) years following the date of final closure certification. Post-closure certification shall be accomplished as specified in 329 IAC 10-31-4.
- H3. The total post-closure cost is estimated to be one million, seven hundred thirty thousand, and ninety eight dollars (\$1,730,098).
- H4. Subsequent to the completion of post-closure, the owner or operator of a closed facility or the owner of real estate upon which a closed facility is located, shall be responsible for correcting and controlling any nuisance conditions occurring at the facility, and eliminating any threat to human health or the environment, as specified in 329 IAC 10-31-5, 6, and 7.

I. FINANCIAL RESPONSIBILITY FOR CLOSURE AND POST-CLOSURE

- I1. The Permittee shall establish and annually update a financial responsibility instrument as required by 329 IAC 10-39 for closure and post-closure. Annual updates shall be submitted no later than June 15 of each year. The amount for closure and post closure shall not be less than the cost estimate specified in the application. Any failure to obtain, maintain, or fund the financial responsibility mechanism, as required within the prescribed time limit shall be grounds for enforcement action.
- I2. A final contour map which meets the requirements of 329 IAC 10-39-2(c) must also be submitted annually not later than June 15 of each year.
- I3. If the restricted waste site operations, the site design, and/or ground water monitoring system are modified to the extent that such revisions would necessitate changes in the amount of the funding provided for the restricted waste site closure and post-closure care periods, the Permittee must revise the plan and appropriately adjust the financial responsibility instrument.

